

## 2007 Amendments to the "In-Law Apartment" Provisions

The Town of Harpswell Definitions Addendum is proposed to be amended as follows (additions are underlined and deletions are ~~struck out~~):

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As a definition for Accessory Residential Unit, as set forth below:

### Accessory Residential Unit-

- i. A second dwelling unit contained within a single family detached dwelling or an accessory building on the same lot as a single family detached dwelling for use as a complete, independent living quarters, with provision for living, sleeping, bathing, and cooking.
- ii. The accessory residential unit shall not be greater than 750 square feet or 50% of the total square footage of the primary dwelling, whichever is more restrictive.
- iii. The accessory apartment shall be secondary, incidental and subordinate to the single family residential or commercial use.

The Town of Harpswell Basic Land Use Ordinance is proposed to be amended as follows (additions are underlined and deletions are ~~struck out~~):

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Amend Section 11.12, regarding "In-Law" Apartments, as set forth below:

**11.12. "In-Law" Apartments. Accessory Residential Unit.** An apartment for a relative ~~related by blood, marriage or adoption to the record owner(s) of the property~~ accessory residential unit may be added to any single family detached dwelling or an accessory structure on the same lot as a single family detached dwelling unit provided that (a) the property is owner-occupied; (b) that Harpswell is the principal residence of the occupant(s) of the accessory residential unit; (c) a building permit is obtained; ~~(e)~~ (d) all of the requirements of this Ordinance, with the exception of shore frontage, road frontage, and minimum lot size, are met; and ~~(d)~~ (e) all requirements of the Maine Subsurface Wastewater Disposal Rules in accordance with 22 M.R.S.A. § 42, as may be amended from time to time, are met; and (f) all requirements of the Maine State Minimum Lot Size Rules 12 M.R.S.A. § 4807, as may be amended from time to time, are met. ~~The immediate removal of the "in-law" apartment shall be required upon discontinued use or occupation of the "in-law" apartment by the above-qualified relative of the record owner(s). The record owner(s) shall be responsible for informing the Code Enforcement Office when such use or occupation is discontinued. The record owner(s) shall annually register with the Code Enforcement Officer the legal name, mailing address and relationship to the record owner(s) of the relative occupying the "in-law" apartment and shall maintain a certificate of compliance with the Code Enforcement Officer. The Code Enforcement Officer shall have the right to inspect all "in-law" apartments~~ accessory residential units to ensure compliance with this section.